

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 11, 2000

DIVISION ONE

B131093 Wilson (Not for Publication)
v.
Blackmond et al.

The judgment is affirmed. Respondent(s) to recover costs.

Ortega, J.

We concur: Spencer, P.J.
Mallano, J.

DIVISION FOUR

B131768 People (Not for Publication)
v.
Eric Dwight Rice

The judgment is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FOUR (Continued)

B135459 Susan N. Schattl (Not for Publication)
 v.
 Pacific Bell et al.

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
 Curry, J.

B131120 Ealise Crumb (Not for Publication)
 v.
 McClain-Hill, Cornwell, Chao & Schropp et al.

The orders are reversed. Appellant is to have her costs on appeal.

Epstein, J.

We concur: Vogel (C.S.), P.J.
 Hastings, J.

B136917 Jim Ruscigno (Certified for Publication)
 v.
 American National Can Company, Inc.

The judgment is affirmed.

Vogel (C.S.), P.J.

I concur: Curry, J.
I dissent: Epstein, J. (Opinion)

DIVISION FIVE

B133439 Roe et al. (Not for Publication)
v.
Chicago Title Insurance Company

The judgment (order denying petition to compel arbitration) is reversed and the case remanded with instructions to grant the petition. Appellant Chicago Title is to have its costs on appeal.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

B140237 O'Neil Data Systems (Not for Publication)
v.
Kyle Beatty

The judgment is affirmed. The writ of supersedeas shall be discharged forthwith. Respondent(s) to recover costs.

Turner, P.J.

We concur: Grignon, J.
Godoy Perez, J.

B125977 Rodrigo Domingo (Not for Publication)
v.
Peter Bonini

The judgment is affirmed. Respondent(s) to recover costs.

Grignon, J.

We concur: Turner, P.J.
Godoy Perez, J.

DIVISION FIVE (Continued)

B134792 Betty Manlin (Not for Publication)
 v.
 Gary Hartunian

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Grignon, J.
 Godoy Perez, J.

B133178 Charles Nassif et al. (Not for Publication)
 v.
 William Harmon

The judgment is reversed. Harmon to bear costs on appeal.

Armstrong, J.

I concur: Turner, P.J.
I dissent: Grignon, J. (Opinion)

B135130 Simon Goldstein (Not for Publication)
 v.
 Michael Myers

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur: Turner, P.J.
 Godoy Perez, J.

B130606 William Kelleher
 v.
 Richard and Aloha Allen

Filed order denying petition for rehearing.

DIVISION FIVE

B120251 People (Not for Publication)
v.
Melvin Hanson

The judgment is modified to reflect the imposition of a \$1,000 restitution fine but is affirmed in all other respects.

Turner, P.J.

We concur: Grignon, J.
Weisman, J. (Assigned)

B143392 M.R. Weiser & Co. (Not for Publication)
v.
Alphalogix LLC

A peremptory writ shall issue directing respondent court to vacate its order of July 20, 2000, denying the motion of defendants M.R. Weiser & Co. LLP, Weiser Holding Group LLC, and Justine Tenney to quash service of the summons and complaint, and enter a new and different order granting the motion. Costs are awarded to petitioners.

Grignon, Acting P.J.

We concur: Godoy Perez, J.
Weisman, J. (Assigned)

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

B140797 Department of Social Services
v.
Lee Ann F.-E.

Argument waived, cause submitted.

DIVISION SIX (Continued)

B132659 Litzsinger
 v.
 Hassenflug

Merits:

Argued by Alexander L. Mazzia for appellants and by Gabriele Mezger-Lashly for respondent. Cause submitted.

B136276 Lolley
 v.
 Campbell

Merits:

Argued by William A. Reich for appellant and by James L. Spencer for respondent Campbell. Argument previously waived by respondent California Employment Law Council. Cause submitted.

Perren, J. left the bench.

B139710 People
 v.
 Nobel Insurance Company

Merits:

Argued by Alan E. Nunez for appellant and by William Waters, assistant county counsel, for respondent. Cause submitted.

B138719 Oroamerica, Inc.
 v.
 Ofrat

Merits:

Argued by Marc Jay Kesten for appellant and by Don B. Finkelstein for respondents. Cause submitted.

Court recessed at 10:20 A.M.

DIVISION SIX (Continued)

Court reconvened at 2:15 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J. and G. Bents, Deputy Clerk.

B118146 People
 v.
 Haun

Merits:

Argued by Barry O. Bernstein for appellant and by Lawrence M. Daniels for respondent. Cause submitted.

B137969 People
 v.
 Shane S. & Robert S.

Merits:

Argued by Roger Jon Diamond for appellant Robert S., by David Lee Moore for appellant Shane S. and by Stephen A. McEwen, deputy attorney general, for respondent. Cause submitted.

Perren, J. assumes the bench.

Each of the following:

B131029 People v. Venable
B131874 People v. Ross
B132342 People v. Rodgers
B132425 People v. Carpenter
B134238 People v. Milony
B135176 People v. Howard
B135206 People v. Wier
B135754 People v. Crosby
B135786 People v. Oliva
B135835 People v. Branch
B135860 People v. Gordon
B136237 People v. Martin
B137226 People v. Ventura

DIVISION SIX (Continued)

Each of the following (continued):

B137427 People v. Greene and Brown
B137548 People v. Stuart
B137977 People v. Bembry
B138008 People v. Patterson
B138790 People v. Soto
B139034 People v. Karp
B139664 People v. Magallon
B140494 People v. Guardaben
B140699 People v. Luis P.
B140932 People v. Shellorne

Argument waived, cause submitted.

Each of the following:

B132538 People v. Pham
B134550 People v. Uc
B135339 People v. Alfaouri
B136080 People v. Robertson and Arnold
B138117 People v. Wilkinson
B138391 People v. Forbes
B139778 People v. Rivera
B143501 People v. Stanistreet & Atkinson

Argument continued to November, 2000.

Court recessed at 3:00 PM

Court reconvened at 3:30 PM

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren J. and G. Bents, Deputy Clerk.

DIVISION SIX (Continued)

B133273 People
 v.
 Gonzalez

Merits:
Argued by Jean E. Matulis for appellant. Argument waived by respondent.
Cause submitted.

B133285 People
 v.
 Williams

Merits:
Argued by Richard C. Gillman for appellant. Argument waived by
respondent. Cause submitted.

B135373 People
 v.
 Pease

Merits:
Argued by Douglas G. Benedon for appellant. Argument waived by
respondent. Cause submitted.

Court adjourned at 4:00 P.M.

DIVISION SEVEN

B128686 People
 v.
 Fikes, Dasher and Omorogieva

Filed order modifying opinion. (Change in judgment)

DIVISION SEVEN (Continued)

B137500 People (Not for Publication)
v.
Dominguez

The conviction of count 2 is reversed. In all other respects, the judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.
 Neal, J.

B131606 Sexton (Not for Publication)
v.
Primadona Resorts, Inc., et al.

The order quashing service is reversed and the cause is remanded. The trial court is directed to grant Sexton's request for a continuance to conduct discovery to establish jurisdictional facts and for further proceedings consistent with this opinion. Sexton to recover her costs of appeal.

Johnson, J.

We concur: Lillie, P.J.
Neal, J.

B128686 People
v.
Fikes, Dasher and Omorogieva

Filed order denying petition for rehearing.